IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5144 OF 2005

R.G. Sathe Magasvargiya Grihanirman Society ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

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Mr.Ashok D. Avhad for the Petitioner.

Mrs. S.S.Bhende, AGP for the State.

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CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

20th October, 2005.

P.C. :

The Petitioner society has approached this Court to challenge various orders whereby the application of the Petitioner society for allotting Plot No.13, Survey No.72/A/2/2 of Village Sansari has been rejected. A letter dated 7the April, 1997 which is a communication by the Collector to the Chief Promoter, would show that the plot which had been applied for is an open space as per the

approved layout. Once that be the case, it would not be possible to grant any relief. It is only in the event that the layout is altered, it will be open to the Petitioner or any other person to apply and the Respondents to consider the same. With the above observations, the Petition stands disposed of. There shall be no order as to costs.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)